
COMMONWEALTH OF VIRGINIA



OFFICE OF THE GOVERNOR

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CHIEF WORKFORCE DEVELOPMENT OFFICER COORDINATION OF WORKFORCE DEVELOPMENT AND ACCOUNTABILITY, CROSS-CABINET COLLABORATION AND THE ROLE OF THE VIRGINIA COMMUNITY COLLEGE SYSTEM

Importance of the Issue

The quality and breadth of a state's workforce is critical to economic development. Individual readiness for the workplace is vital to career success. Accordingly, it is incumbent on state government to be as efficient, effective, and responsive as possible in delivering workforce development services to meet labor market and employer demand.

By virtue of the authority vested in me as Governor under Article V of the Constitution of Virginia and under the laws of the Commonwealth, including but not limited to Chapter 1 of Title 2.2 of the Code of Virginia, and subject to my continuing and ultimate authority and responsibility to act in such matters, I hereby assign authority for carrying out the state's responsibilities under Chapter 4.2 of Title 2.2, Sections 2.2-2669, 2.2-2670, 2.2-2674.1, 2.2-435.6 and 2.2-435.7, and under Chapter 16 of Title 23, Section 23-215, regarding the coordination of workforce development and workforce training as set forth herein.

Background

The 2006 General Assembly enacted into law legislation creating the Chief Workforce Development Officer. The Governor is the Chief Workforce Development Officer and he may delegate that responsibility to a senior person on his immediate staff. The Chief Workforce Development Officer is responsible for the coordination of workforce development across Secretariats and ensuring that the Commonwealth's workforce development efforts are implemented in a coordinated and efficient manner.

A skilled workforce is central to Virginia's continued economic prosperity. It is the

policy of the Commonwealth that there be a dynamic and substantive relationship between workforce development, P-16 and economic development. Furthermore, it is essential that workforce development strategies embody skilled training and education and the purposeful development of the Commonwealth's human resources. The skill development of the Commonwealth's human resources must achieve parity in areas of the state where individual skill levels do not meet the demands of employers and the economy in sufficient numbers

On June 23, 2006, Executive Order Twenty-Five (2006) was issued to ensure that initial transition steps occurred to implement the 2006 legislation. This Executive Order rescinds and replaces Executive Order Twenty-Five (2006) and is issued to ensure that the next phase of transition occurs and that appropriate responsibilities and duties are specified.

Authority and Responsibility of the Chief Workforce Development Officer

I hereby affirm and delegate to my Chief Workforce Development Officer (hereafter referred to as "Officer") the powers and duties enumerated below.

1. Serve as chief advisor to the Governor on all workforce matters and articulate the Governor's policy direction for workforce.
2. Chair and convene the Workforce Sub Cabinet. The Workforce Sub Cabinet is established to ensure Cabinet collaboration regarding workforce development as required by state and federal statute (Code of Virginia §2.2-435.7(4); P.L. 105-220, §112(b)(8)(A). Members of the Workforce Sub Cabinet shall be: the Officer; the Secretaries of Administration, Commerce and Trade, Education, Finance, Health & Human Resources and Public Safety; the Deputy Chief of Staff; the Director of Policy; a staff member assigned to workforce from the Governor's Policy Office; the Deputy Workforce Advisor; the Superintendent of Public Instruction; the Virginia Community College Chancellor; and the Executive Director of the State Council of Higher Education. In consultation with the Workforce Sub Cabinet, the Officer shall advise the Governor regarding the expenditures of the 15% Governor's statewide Workforce Investment Act (WIA) discretionary funds and the 25% statewide rapid response funds, to ensure that the Governor's workforce priorities are addressed. The Governor may modify the membership and duties of the Workforce Sub Cabinet at any time. The Workforce Sub Cabinet shall meet monthly at a minimum.
3. Establish the means, proportionately and fiscally, and work with the respective Cabinet Secretaries, to support the development and implementation of a seamless and integrated One Stop workforce service delivery system. This shall include a system building staffing and resource pattern, which crosses Secretarial areas to carry out workforce development activities.
4. In the event of the existence of unresolved problems to support proportionately and fiscally the development and implementation of the one stop workforce system among the respective Cabinet Secretaries, the Officer shall report to the Governor and recommend appropriate action. The Governor shall have the ultimate responsibility for resolving any

workforce system building problems regarding staffing and resource patterns that cross Secretarial areas.

5. Oversee, in cooperation with the Secretaries of Administration, Commerce and Trade, Education and Finance the transition of the WIA from the Virginia Employment Commission (VEC) to the Virginia Community College System (VCCS) to ensure the Commonwealth's compliance with federal and state laws and regulations.
6. Coordinate with the VCCS and the U.S. Department of Labor in the development of the appropriate waivers to improve the effectiveness of the workforce delivery system and to assist the VCCS in its role as coordinator of workforce training.
7. Monitor and implement the Governor's Workforce Development Strategic Plan.
8. Provide an annual forecast of occupational and skill demands of employers relative to the Commonwealth of Virginia's workforce, in coordination with agencies and entities charged with an aspect of occupational and educational forecasting. These agencies and entities may include the following: the Virginia Workforce Council, the State Council for Higher Education in Virginia, the Virginia Employment Commission, the Department of Health Professions and the Virginia Economic Development Partnership and private entities that provide such services.
9. Direct and conduct annual net impact and other evaluations of state workforce program outcomes. In cooperation with the Governor's P-16 Education Council initiatives and the Workforce Sub Cabinet, develop options for a data repository to support and contain agency data for evaluation purposes
10. Represent the Governor on workforce development matters and on the Virginia Workforce Council. This includes the authority to vote on the Governor's behalf and serving on the Executive Committee of the Virginia Workforce Council.
11. Oversee the implementation of the development of comprehensive integrated seamless local One Stop workforce service delivery systems in cooperation with the Workforce Sub Cabinet
12. Maximize the education and training role of the VCCS at the One Stop level, contingent on available resources.
13. Enter into a Memorandum of Understanding (MOU) with the VCCS for staff support for the Officer to be funded by the WIA Governor's statewide discretionary funds.
14. At the direction of the Governor and in cooperation with the Virginia Community College System and the Workforce Sub Cabinet, the Officer shall establish a network of regional workforce planning and implementation representatives to work with businesses in the Commonwealth to plan for and respond to regional workforce needs. Such representatives will work with regions in the state, in cooperation with the Virginia Community College

System, local one-stop partners, and local and regional economic development agencies for the purpose of being the focal point for anticipating and filling business workforce needs.

Duties of the Cabinet Secretaries

1. The Secretary of Commerce and Trade shall ensure coordination in the development of the Economic Development Strategic Plan and the Workforce Development Strategic Plan.
2. The Secretaries shall enter into a State Memorandum of Understanding (MOU) with the Officer, which sets forth the terms of agreement for cooperation and consultation with regard to the implementation of the workforce development system in Virginia and provides a model for local implementation of workforce systems and comprehensive integrated seamless One Stop workforce service delivery centers. This MOU shall also address support of funding of the staff of the Virginia Workforce Council. Unresolved problems among the Cabinet Secretaries regarding the entering into and implementation of the MOU shall be resolved according to the process in item number four under "Authority and Responsibility of the Chief Workforce Development Officer."
3. The Secretary of Commerce and Trade shall work with the Officer to ensure the phasing in of all local VEC offices, except for the central office and call centers, into the comprehensive workforce One Stop centers
4. The respective Deputies and other designees of the Workforce Sub Cabinet shall meet regularly to coordinate and respond to workforce issues.
5. The Secretary of Education, in cooperation with the Officer, shall establish a panel of state and national experts and stakeholders to develop a plan for addressing the education, skill and workforce needs of adults without a high school diploma or equivalent. A report shall be presented to the Governor by September 1, 2008.
6. The Secretary of Education, in consultation with the Virginia Board of Education and the Virginia Community College System Board, shall recommend to the Governor strategies for the inclusion of the Virginia Community College System on the State Board for Career and Technical Education.
7. The Secretary of Health and Human Resources (HHR) will work with the Workforce Sub Cabinet to expand career mobility programs to meet HHR sector needs.
8. No later than July 1, 2008, the Senior Advisor, in cooperation with the Secretaries of Education and Commerce and Trade, the VCCS and the VEC shall develop and sign a MOU that shall include comprehensive coordinated transition plans for moving the WIA from the VEC to the VCCS. This MOU shall include provisions for all WIA grants, leading to final reports from the sixteen Workforce Investment Areas and their subcontractors and other agencies funded with WIA statewide funds and WIA National Emergency Grants (NEG) and Workforce Innovation in Regional Economic Development (WIRED) grants. The transition plan shall be developed in consultation with the Department of Accounts, the

Department of Planning and Budget and the Department of Human Resources Management. The transition plan shall include provisions for records retention as required by federal law, regulation and guidance. The Officer shall report any problems in effecting this transition in the weekly report to the Governor and expeditious means shall be employed to ensure problem resolution and compliance with federal and state law and regulations.

Workforce System Program Performance and Accountability

1. The Officer shall oversee workforce system accountability and performance and articulate standards for net impact evaluation.
2. State workforce programs will be evaluated annually according to the following outcome performance measures: short and long-term employment rate; short and long-term earnings; and credential completion rate. The workforce programs to be evaluated are: Apprenticeship (DOLI); Postsecondary Career & Technical Education, WIA Youth, Adult & Dislocated Worker Programs (VCCS); Senior Community Services Employment Program (VDA); Vocational Rehabilitation (DRS & DBVI); Career & Technical Education Programs (DOC); Adult Education & Family Literacy (DOE); Youth Industries and Institutional Work Programs (DJJ); Food Stamp Employment & Training Program & Virginia Initiative for Employment Not Welfare (DSS); Employment Service, Trade Adjustment Assistance and Jobs for Veterans Program (VEC) and Workforce Services Virginia Jobs Investment Program (DBA). An administrative cost limit of 10% will be imposed on all state administered workforce programs. The Workforce Sub Cabinet may recommend the addition or deletion of programs as needs change over time.
3. The Officer, in collaboration with the Workforce Sub Cabinet and the Chief of Staff, will develop guidelines for what constitutes “administrative costs.”
4. The Governor may include additional measures for evaluation of workforce programs.
5. The Officer shall report evaluation results to the Governor and provide a report to the Virginia Workforce Council and the General Assembly.
6. The Officer, after consultation with the Workforce Sub Cabinet shall make recommendations to the Governor on the allocation and reallocation of workforce resources based on the results of the evaluation and cost benefit analysis.
7. The Officer shall direct the development of a state workforce program participant data repository for the following purposes:
 - a. To satisfy the workforce program and system evaluation requirements of §2.2-435.7 (9) and (11) of the Code of Virginia.
 - b. To allow state workforce programs to transfer participant demographic, service, outcome, funding and related information to the state agency where the workforce program data repository is located.
 - c. To allow the matching of participant data files within the data repository for evaluation purposes.

- d. To allow the application of various research methods in evaluating program outcomes, performance and cost-benefit.

Duties of the Virginia Community College System (VCCS)

1. Effective July 1, 2008, the VCCS will be the designated state agency for the WIA, including that of grant recipient and fiscal and administrative agency.
2. The VCCS shall make recommendations to the Governor, in consultation with the Workforce Sub Cabinet, on the expenditures of the Governor's 15% WIA statewide discretionary funds and the 25% statewide rapid response funds in accordance with Item number 2 under the Authority and Responsibility of the Chief Workforce Development Officer section of this Executive Order.
3. The VCCS will administer the WIA rapid response program from such funds as shall be made available.
4. The VCCS may staff the regional workforce, education and economic development partnerships established by the Governor from such funds as shall be made available. The VCCS shall report annually to the Officer and the Governor on accomplishments regarding regional cooperation and ways to improve regional cooperation.
5. The Office of the Chancellor of the Virginia Community College system will have the responsibility of providing strategic guidance and staff support to the Virginia Workforce Council, subject to legislative approval and from such funds as shall be made available.

The Virginia Workforce Council (VWC)

1. The Officer shall work closely with the VWC in articulating the Governor's policy direction and views on workforce development and system building.
2. The VWC shall recommend criteria to evaluate the support provided by mandated partner programs in the development of the integrated seamless one stop system through cash and in-kind contributions and other measures to improve the effectiveness of the One Stop Centers. The Officer shall work with the VWC regarding the evaluation of the effectiveness of Virginia Workforce Network Centers.
3. The VCCS will work with the VWC in the development of statewide policy and leadership for the One Stop service delivery system.
4. In consultation with local Workforce Investment Boards, the Council will establish a set of goals and performance measurements for local Workforce Investment Boards that expand the common measures issued by the U.S. Department of Labor and promotes a well-trained, well-educated, highly skilled and qualified workforce that meets the current and future needs of Virginia employers. If a local area fails to meet required levels of performance relating to WIA indicators for a program for any program year, the

Governor shall provide technical assistance. If a local area fails performance for a second consecutive year, the Council shall recommend sanctions to the Governor and advise the Governor to take corrective actions as stipulated by the WIA.

5. The Council will develop a robust set of incentives and corresponding metrics to encourage Workforce Investment Boards to establish regions that reflect labor markets, commuting patterns and other strategic economic demands to meet worker and employer needs.

This Executive Order shall be effective upon its signing and shall remain in full force and effect until June 30, 2010, unless sooner amended or rescinded by further executive order. This Executive Order rescinds Executive Order Twenty-Five (2006).

Given under my hand and under the Seal of the Commonwealth of Virginia this 4th day of January 2008.

Timothy M. Kaine, Governor

Attest:

Secretary of the Commonwealth